

Message Text

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15

ACTION EA-10

INFO OCT-01 ISO-00 L-02 SCA-01 JUSE-00 SCSE-00 DEAE-00

SY-04 SSO-00 RSC-01 SNM-02 INR-07 INRE-00 NSC-05

NSCE-00 /033 W

----- 122267

O 200922Z DEC 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 6882

UNCLAS TOKYO 16612

E.O. 11652: N/A

TAGS: CGEN, JA

SUBJECT: DEPARTMENT OF JUSTICE DEPOSITION REQUEST

REF: TOKYO 16493, STATE 276034, STATE 278667 AND PREVIOUS

1. DURING CALL ON VICE MINISTER TOGO ON ANOTHER MATTER, AMBASSADOR THIS AFTERNOON PRESENTED TALKING PAPER WHICH GAVE BACKGROUND ON DEPOSITION REQUEST AND ELABORATED ON POSITION INDICATED IN PARA 2 OF STATE 278667. AMB STRESSED THE URGENCY OF THE CASE AND THE FACT THAT THIS IS NOT A TRIAL. HE ALSO EMPHASIZED THE IMPORTANCE OF THE CASE IN TERMS OF COOPERATIO BETWEEN OUR RESPECTIVE GOVERNMENTS TO SUPPRESS ILLEGAL DRUG TRAFFIC. VICE MINISTER TOGO STATED THAT HE HAD BEEN INFORMED OF THE REQUEST ONLY A SHORT WHILE BEFORE THE MEETING. HE ACCEPTED THE TALKING PAPER AND INDICATED HE WOULD GIVE THE REQUEST EVERY POSSIBLE CONSIDERATION.

2. CONGEN IN EARLIER MEETING WITH LESSER MFA OFFICIAL INFORMALLY MENTIONED POSSIBILITY OF TAKING DEPOSITION ON EMBASSY PREMISES. THE REACTION LED HIM TO OPINION THIS POSSIBILITY MIGHT PROVE TO BE A SOLUTION. IN SPITE OF VIEWS IN STATE 278667 MFA WORKING LEVEL CONTINUES TO HOLD VIEW THAT A PROCEEDING OF THIS NATURE INVOLVING PROSECUTORS DEFENSE ATTORNEYS, DEFANDANTS, VIDEO TAPING, ETC WAS NOT WITHIN THE CONTEMPLATION OF THE PARTIES AT THE TIME THE CONSULAR CONVENTION WAS SIGNED. THIS IS THE ESSENTIAL PROBLEM AS MFA SEES IT. MFA ALSO RAISED QUESTION ON DATES FOR THE

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DEPOSITION STATING THAT AT THE DEC 16 MEETING WITH DAVID BROWN AND

OTHERS, THE DATE OF FEB 3 RATHER THAN JAN 6 WAS PROPOSED. CONGEN
REPLIED THAT FEB 3 WAS TOO LATE SINCE THE TRIAL WAS TO START ON FEB
10. DEPT REQUESTED TO CLARIFY WHETHER DATE OF FEB 3 WAS GIVEN AT
DEC 16 MEETING.

3. EMB AWAITING FULLER READING ON ALTERNATIVE PROPOSAL AS PROMISED.
HODGSON

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Message Attributes

Automatic Decaptioning: X
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Draft Date: 20 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
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ISecure: 1
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